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Sexual Orientation and Victimization

2004

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Preface

This series of profiles provides analysis on a variety of topics and issues concerning victimization, offending and public perceptions of crime and the justice system. The profiles primarily draw on results from the General Social Survey on victimization. Where applicable, they also incorporate information from other data sources, such as the Census of population and the Incident-based Uniform Crime Reporting Survey.

Examples of the topics explored through this series include: Victimization and offending in Canada's territories, Canadians' use of crime prevention measures and Victimization of older Canadians. This is a unique periodical, of great interest to those who plan, establish, administer and evaluate justice programs and projects, or anyone who has an interest in Canada's justice system.

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Highlights

- According to the 2004 General Social Survey (GSS), gays, lesbians and bisexuals reported experiencing higher rates of violent victimization including sexual assault, robbery and physical assault, than did their heterosexual counterparts.

- Despite experiencing higher rates of violence, gays, lesbians and bisexuals did not express higher levels of fear than did heterosexuals. Regardless of sexual orientation, about 9 out of 10 Canadians indicated that they were "somewhat" or "very" satisfied with their personal safety from crime.

- Gays, lesbians and bisexuals expressed lower levels of satisfaction with police performance than their heterosexual counterparts. For example, fewer gays, lesbians and bisexuals felt that the police were doing a good job of treating people fairly compared to heterosexuals (42% of gays/lesbians and 47% of bisexuals versus 60% of heterosexuals).

- The proportion of gays, lesbians and bisexuals who felt they had experienced discrimination was about 3 times higher than that of heterosexuals. Furthermore, 78% of gays and lesbians who experienced discrimination believed it was because of their sexual orientation compared to 29% of bisexuals and 2% of heterosexuals.

Introduction

In the early 1980's, Canada adopted the *Canadian Charter of Rights and Freedoms*. As of 1985, all Canadians, regardless of their race, national or ethnic origin, colour, religion, sex, age, mental or physical disability were legally given equal rights to the protection and benefit of the law without discrimination under Section 15 of the *Charter*. Although sexual orientation is not listed as a ground for discrimination in the *Charter*, it has been deemed by the Supreme Court of Canada (Egan v. Canada, [1995] 2 S.C.R. 513) to be an analogous ground on which claims of discrimination may be based (Hurley, 2007).

On September 18, 2003 the Parliament of Canada voted to amend the *Criminal Code* to include sexual orientation as an identifiable characteristic for protection from hate crime under the Hate Propaganda Sections 318 and 319. The amendment added gays and lesbians to a list of other groups protected by hate crime legislation.

Until recently, there were no national data on the extent to which gays, lesbians and bisexuals were victims of violent crime and discrimination, nor was there any national information about their fear of crime or their perceptions of the criminal justice system.

In 2004, for the first time, the General Social Survey (GSS) on victimization asked Canadians to identify their sexual orientation (see Text Box 1). This profile examines victimization rates, perceptions of discrimination, fear of crime and attitudes towards the justice system among gays, lesbians and bisexuals.

According to the GSS, just over 362,000 Canadians aged 18 years and older (1.5%) identified themselves as being gay, lesbian or bisexual.[1,2]

Text box 1
Definitions

Sexual orientation: **Sexual orientation refers to how a person perceives and defines their sexuality, which is whether he or she considers himself or herself to be heterosexual, homosexual (gay or lesbian) or bisexual. In the 2004 GSS, information on sexual orientation was collected from respondents aged 18 years and over.**

Violent victimization: **The 2004 GSS collected information on three types of violent offences, according to their definition in the *Criminal Code*. These include sexual assault, robbery and physical assault.**

Sexual assault: **Forced sexual activity, an attempt at forced sexual activity, or unwanted sexual touching, grabbing, kissing or fondling.**

Robbery: **Theft or attempted theft in which the perpetrator had a weapon or there was violence, or the threat of violence against the victim.**

Physical assault: **An attack (victim hit, slapped, grabbed, knocked down or beaten), a face-to-face threat of physical harm, or an incident with a weapon present.**

This profile presents overall violent victimization rates, since rates by individual violent offence types were too small to make statistically reliable estimates.

1. Ninety-four percent of Canadians aged 18 years and over identified themselves as being heterosexual, while 5% did not state their sexual orientation.
2. Comparing rates or proportions of small populations is a challenge that is related to the issue of sampling variability. As the sample size decreases, the average size of the error in estimates tends to increase. When comparing differences between small groups, there is a greater chance that these differences are a result of sampling variability. As with any estimate obtained from a sample survey, it is necessary to undertake tests of statistical significance to ensure that reported differences between estimates are actual differences and not a result of sampling error. Unless otherwise noted, all differences reported in this profile are statistically significant.

Victimization amongst gays, lesbians and bisexuals[3]

Gays, lesbians and bisexuals experience higher levels of violent victimization[4]

Gays, lesbians and bisexuals reported experiencing higher rates of violent victimization (see Text Box 1), including sexual assault, robbery and physical assault, than did their heterosexual counterparts.

The rate for gays and lesbians was almost 2.5 times higher than the rate for heterosexuals (242[5] violent incidents per 1,000 population) while the rate for bisexuals was 4 times higher than the rate for heterosexuals (415[5] versus 99 violent incidents per 1,000 population).

Gays, lesbians, and bisexuals experience higher levels of spousal violence[6]

When looking specifically at those who identified themselves as being gay, lesbian or bisexual, it was found that these individuals experienced higher rates of spousal[7,8] violence compared to heterosexuals. Fifteen percent[5] of gays or lesbians and 28% of bisexuals[5,9] reported being victims of spousal abuse in comparison to 7% of heterosexuals. These findings are consistent with previous research (Cameron, 2003).

Factors that increase the risk of victimization are more common among gays, lesbians and bisexuals

Factors such as being young, being single, being a student, earning a low income, living in an urban area, and engaging in 30 or more evening activities per month have all been shown to be related to higher rates of victimization (Gannon and Mihorean, 2005). Results from the 2004 GSS indicate that some factors that increase the risk of violent victimization are more common amongst gays, lesbians and bisexuals.

For example, a higher proportion of gays and lesbians were single, living in an urban area, and engaging in 30 or more evening activities per month than their heterosexual counterparts. Furthermore, a higher proportion of bisexuals were under the age of 25, single, students, earning low incomes and engaging in 30 or more activities per month than their heterosexual counterparts (Table 1).

In order to determine whether one's sexual orientation independently increased the odds of victimization, a multivariate analysis using logistic regression was undertaken.

When all factors were held constant, being gay, lesbian or bisexual significantly increased the odds of being a victim of a violent crime. Compared to heterosexuals, the odds of being victimized were nearly 2 times greater for gays and lesbians and 4.5 times greater for bisexuals.[10]

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3. Unless otherwise noted, the differences reported in this profile are statistically significant. For additional information refer to the Methodology section.
4. The difference between the rate for gays, lesbians and bisexuals is not statistically significant.
5. Use with caution, coefficient of variation is high (16.6% to 33.3%).
6. The reader is cautioned that it is not known whether gays, lesbians or bisexuals who were victims of spousal abuse were in a same-sex or a heterosexual relationship at the time of the abuse.
7. For the first time, the 2001 Census questioned Canadians regarding their common-law partnerships. Results showed that amongst all couples, 0.5% or 34,000 were same-sex common law partnerships (Statistics Canada, 2002).
8. Based on gay, lesbian or bisexual respondents who had a current or ex-spouse/partner with whom they had contact with in the last 5 years.
9. The difference between the proportion of gays and lesbians and bisexuals who experienced spousal violence is not statistically significant.
10. The analysis also revealed that age was a strong predictor of being the victim of a violent crime – those aged 15-to-24 had odds of being the victim of a violent crime that were six times greater than for persons aged 55 and over. The odds of being victimized were two times greater for those who were unmarried compared to their married counterparts. Other factors, like being male, having a low income (under $15,000), participating in 10 or more evening activities per month and one's proximity to crime (measured by perceptions of neighbourhood crime and fear of walking alone after dark) increased the odds of being victimized. These results resemble findings from earlier studies (Brzozowski and Mihorean, 2002; Mihorean et al., 2001).

Table 1
Characteristics of Canadians who stated their sexual orientation,[1] 2004

	Gays and lesbians	Bisexuals	Heterosexuals
	percentage		
Age group of victim			
18 to 24	10[E]	34***	12
25 to 34	25	23[E]	18
35 to 44	31*	19[E]**	21
45 to 54	20	10[E]***	20
55 and over	14[E]*	13[E]*	29
Marital status			
Married or common-law	37*	28*	65
Single	55*	57*	22
Separated or divorced	8[E]	10[E]	7
Widow or widower	F*	F**	5
Don't know or not stated	F	F	0
Main activity			
Working at a paid job or business	67	51***	62
Looking for paid work	F	F	2
Student	11[E]	21[E]*	8
Household work[2]	F*	12[E]**	8
Retired	11[E]*	7[E]*	18
Other	F	F	2
Don't know or not stated	F	0	F
Evening activities (number per month)			
Less than 10	13[E]*	20[E]	24
10 to 19	24	15[E]***	23
20 to 29	16	16[E]	20
30 and over	47*	49*	32
Household income (dollars)			
0 to 14,999	7[E]	10[E]*	4
15,000 to 29,999	10[E]	13[E]	11
30,000 to 39,999	12[E]	11[E]	9
40,000 to 59,999	16[E]	20[E]	18
60,000 and over	45	28[E]***	39
Don't know or not stated	10[E]	18[E]	18
Place of residence of victim			
Urban	90*	85	80
Rural	10[E]*	15[E]	20

[E] use with caution, coefficient of variation is high (16.6% to 33.3%)
F too unreliable to be published
* Indicates a significant difference compared to heterosexuals.
** Indicates a significant difference compared to gays and lesbians.
*** Indicates a significant difference compared to other groups.
1. Five percent did not state their sexual orientation.
2. Includes taking care of children and maternity or paternity leave.
Source: Statistics Canada, General Social Survey, 2004.

Perceptions of personal safety and the criminal justice system

Fear levels similar for all groups

Despite experiencing higher rates of violence, gays, lesbians and bisexuals did not express higher levels of fear than their heterosexual counterparts. Overall, more than 9 out of 10 gay, lesbian and bisexual Canadians indicated that they were "somewhat" or "very" satisfied with their personal safety, a proportion which was similar to heterosexuals. Moreover, regardless of sexual orientation, approximately 9 out of 10 respondents indicated that they felt either "very" or "reasonably" safe or were "not at all" worried or "somewhat" worried while engaging in certain activities after dark such as walking alone or using public transportation.

Gays, lesbians and bisexuals held a less favourable view of police performance

Overall, gays, lesbians and bisexuals express lower levels of satisfaction with police performance than their heterosexual counterparts (Table 2). For example, fewer gays, lesbians and bisexuals felt that the police were doing a good job of treating people fairly compared to heterosexuals (42% of gays/lesbians and 47%[11] of bisexuals versus 60% of heterosexuals).

Table 2
Respondent's perception of the criminal justice system by sexual orientation, 2004

	Gays and lesbians	Bisexuals	Heterosexuals
	percentage		
Is the local police doing a good job...			
Enforcing the laws	50*	52	60
Responding promptly to calls	44	39*	52
Being approachable	58*	52*	66
Supplying information on reducing crime	42*	38*	51
Ensuring the safety of citizens	51*	50*	62
Treating people fairly	42*	47*	60
Are the criminal courts doing a good job...			
Providing justice quickly	14[E]	22[E]	14
Helping the victim	16[E]	21[E]	19
Determining whether or not the accused is guilty	26	26[E]	26
Ensuring a fair trial for the accused	46	38	44
Is the prison system doing a good job...			
Supervising/controlling prisoners	29	27	30
Helping prisoners become law abiding	13[E]	21[E]	17
Is the parole system doing a good job...			
Releasing offenders who are not likely to re-offend	17	26[E]*	16
Supervising offenders on parole	14[E]	18[E]	13

[E] use with caution, coefficient of variation is high (16.6% to 33.3%).
* Indicates a significant difference compared to heterosexuals.
Note: There is no significant difference between gays and lesbians, and bisexuals.
Source: Statistics Canada, General Social Survey, 2004

When asked if the police were doing a good job at supplying information to the public on ways to reduce crime, 42% of gays and lesbians and 38% of bisexuals[11] responded positively, compared to 51% of heterosexuals. Furthermore, 58% of gays and lesbians and 52% of bisexuals perceived the police as doing a good job at being approachable compared to 66% of heterosexuals.

11. The difference between gays and lesbians and bisexuals is not statistically significant.

Regardless of sexual orientation, there were no statistically significant differences in Canadians' perceptions of the criminal courts and the prison system.

With respect to assessments of the parole system, fewer gays and lesbians and heterosexuals felt the parole system was doing a good job at releasing prisoners not likely to re-offend compared to bisexuals (17% and 16% compared to 26%).

Sexual orientation and perceptions of discrimination

A higher proportion of gays, lesbians and bisexuals felt they had experienced discrimination

According to the *Canadian Human Rights Act*[12], discriminatory behaviour includes differential treatment of an individual or a group of individuals based on their race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, mental or physical disability or pardoned conviction.

Results from the 2004 GSS show that 44% of gays and lesbians and 41% of bisexuals[11] felt that they had experienced some form of discrimination in the previous five years compared to 14% of heterosexuals. Furthermore, 78% of gays and lesbians who had experienced discrimination believed it was because of their sexual orientation compared to 29% of bisexuals and 2% of heterosexuals.

Among all of the situations in which they could have experienced discrimination, gays, lesbians and bisexuals were most likely to report its occurrence at work or when applying for a job or promotion. Regardless of the location, discrimination was always more common for gays, lesbians and bisexuals than it was for heterosexuals.

Conclusion

Despite the fact that gays, lesbians and bisexuals experienced 2 to 4 times higher rates of violent victimization compared to heterosexuals, their levels of satisfaction with their personal safety and their levels of fear from crime were similar to those of their heterosexual counterparts. Perceptions of police performance were less favourable among gays, lesbians and bisexuals compared to heterosexuals while perceptions of the courts and prison were similar, regardless of sexual orientation.

A much higher proportion of gays, lesbians and bisexuals felt that they had experienced discrimination compared to heterosexuals. Among those who had experienced discrimination, gays and lesbians were the most likely group to believe it was because of their sexual orientation.

12. In 1996, the Act was amended to explicitly include sexual orientation as one of the prohibited grounds of discrimination.

Methodology

General Social Survey on Victimization

In 2004, Statistics Canada conducted the victimization cycle of the GSS for the fourth time. Previous cycles were conducted in 1988, 1993 and 1999. The objectives of the survey are to provide estimates of the extent to which people experience incidences of eight offence types (assault, sexual assault, robbery, theft of personal property, break and enter, motor vehicle theft, theft of household property and vandalism); to examine risk factors associated with victimization; to examine rates of reporting victimization to police; and to measure fear of crime and public perceptions of crime and the criminal justice system.

Households in the 10 provinces were selected using Random Digit Dialing (RDD). Once a household was chosen, an individual 15 years or older[13] was selected randomly to respond to the survey. Households without telephones, households with only cellular phone service, and individuals living in institutions were excluded. These groups combined represented 4% of the target population. This figure is not large enough to significantly change the estimates.

The sample size in 2004 was about 24,000 households, similar to the sample size in 1999 (26,000) and considerably higher than the sample in 1993 and 1988 (10,000 each). Of the 31,895 households that were selected for the GSS Cycle 18 sample, 23,766 useable responses were obtained.

Data limitations

The data that appear in this profile are based on estimates from a sample of the Canadian population and are therefore subject to sampling error. Sampling error refers to the difference between an estimate derived from the sample and the one that would have been obtained from collecting data from every person in the population.

This profile uses the coefficient of variation (CV) as a measure of the sampling error. Any estimate that has a high CV (over 33.3%) has not been published because the estimate is too unreliable. An estimate that has a CV between 16.6 and 33.3 should be used with caution. The symbol 'E' is used to identify these estimates.

When comparing estimates for significant differences, we test the hypothesis that the difference between two estimates is zero. We construct a 95% confidence interval around this difference and if this interval contains zero, then we conclude that the difference is not significant. If, however, this confidence interval does not contain zero, then we conclude that there is a significant difference between the two estimates.

In addition, non-sampling errors may have also been introduced. Types of non-sampling errors may include the refusal by a respondent to report, a respondent's inability to remember or report events accurately, or errors in coding and processing of the data. In addition, individuals who could not speak English or French well enough to complete the survey were not included. For these reasons, the victimization data should be used with caution.

13. In this profile, analysis is limited to those aged 18 years and older as the question on sexual orientation was not asked to those under 18.

Bibliography

Angelini, P.U. (ed.). 2007. *Our Society: Human Diversity in Canada*. 3rd Edition, Nelson Publishing. Available at http://www.nelson.com (accessed October 29, 2007).

Bradbury, Jon. 2002. *Hate Crimes Exist – We've Felt the Hate*. Available at http://www.mun.ca/the/research/hatecrimes.html (accessed October 19, 2007).

Brzozowski, Jodi-Anne and Karen Mihorean. 2002. *Technical Report on the Analysis of Small Groups in the 1999 General Social Survey*. Statistics Canada Catalogue no. 85F0036-XIE. Ottawa.

Cameron, Paul. 2003. "Domestic violence among homosexual partners." *Psychological Reports*. Vol. 93. p. 410-416.

Dworkin, Anthony and Rosalind Dworkin. 1999. *The Minority Report, an Introduction to Racial, Ethnic, and Gender Relations*. Third Edition, Harcourt Brace College Publishers.

Elliot, Pam. 1996. "Shattering illusions: Same-sex domestic violence." In Renzetti, C.M. and C.H. Miley (eds.). *Violence in Gay and Lesbian Domestic Partnership*. p.1-8. New York. Harrington Park Press.

Gannon, Maire and Karen Mihorean. 2005. "Criminal victimization in Canada, 2004." *Juristat*. Vol. 25, no. 7. Statistics Canada Catalogue 85-002-XPE. Ottawa.

Gardner, R. 1989. "Method of conflict resolution and characteristics of abuse and victimization in heterosexual, lesbian and gay male couples." *Dissertation Abstracts International*, Vol. 50, no. 2-B. p. 746. Doctoral dissertation, University of Georgia, 1988.

Herek, Gregory. 2007 "Hate-crimes and stigma-related experiences among sexual minority adults in the United States: Prevalence estimates from a national probability sample". *Journal of Interpersonal Violence*. (Forthcoming).

Hurley, Mary C. 2007. "Sexual orientation and legal rights." *Parliamentary Information and Research Service*. Current Issue Review 92-1E. Revised 31 May 2007. Available at http://www.parl.gc.ca/information/library/PRBpubs/prb0413-e.htm (accessed January 16, 2008).

Janhevich, Derek. 2001. *Hate Crime in Canada: An Overview of Issues and Data Sources*. Statistics Canada Catalogue no. 85-551-XIE. Ottawa.

Mihorean, Karen, Sandra Besserer, Diane Hendrick, Jodi-Anne Brzozowski, Cathy Trainor and Stacy Ogg. 2001. *A Profile of Criminal Victimization: Results of the 1999 General Social Survey*. Statistics Canada Catalogue no. 85-553-XIE. Ottawa.

Renzetti, Clair M. 1992. *Violent Betrayal: Partner Abuse in Lesbian Relationships*. Newbury Park, California. Sage Publications.

Silver, Warren, Karen Mihorean and Andrea Taylor-Butts. 2004. "Hate crime in Canada." *Juristat*. Vol. 24, no. 4. Statistics Canada Catalogue 85-002-XPE. Ottawa.

Smith, Miriam. 1999. *Lesbian and Gay Rights in Canada, Social Movements and Equality-Seeking, 1971-1995*. University of Toronto. Press Incorporated.

Statistics Canada. 2002. "Profile of Canadian families and households: Diversification continues." *Analysis series, 2001 Census*. Statistics Canada Catalogue no. 96F0030XIE. Ottawa.

Sullivan, Nikki. 2003. *A Critical Introduction to Queer Theory*, Edinburgh University Press.

Younglove, J.A., and C. Vitello. 2006. "Domestic violence: Same-sex partners." *Encyclopedia of Murder and Violent Crime*. SAGE Publications. Available at http://www.sage-ereference.com.proxy.lib.sfu.ca/violentcrime/Article_n134.html (accessed November 26, 2007).

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